

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director
Prepared by: Larry A. Peters, P.E., Town Engineer (954) 797-1113

SUBJECT: Resolution

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN EASEMENTS FROM SUNDANCE AT DAVIE, INC., PROPERTY OWNER; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town Engineering Staff has determined that it is necessary for the benefit of the residents of the Town that certain utility improvements be maintained. In order to accomplish this goal, the Town Staff has obtained from property owner, Sundance At Davie, Inc, the necessary utility easements needed by the Town. Copies of the utility easements are attached to the accompanying Resolution and Town Council approval is necessary for the Town to accept from Sundance At Davie, Inc. the needed utility easements and to authorize the recordation of same in the Public Records of Broward County, Florida

PREVIOUS ACTIONS: None

CONCURRENCES: Reviewed by Town Attorney on November 2, 2005

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S):

The Town Engineering Division recommends that the Town Council approve the attached Resolution and authorize acceptance of the utility easements and authorize recording of same in the Public Records of Broward County, Florida

Attachment(s): Resolution, utility easement, sketch of survey and Opinion of Title

RESOLUTION R-2005-_____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING CERTAIN EASEMENTS FROM SUNDANCE AT DAVIE, INC., PROPERTY OWNER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie recognizes the need to maintain certain utility improvements located within the Town Limits' and

WHEREAS, it has been determined that such improvements will be a benefit to the Town and its residents; and

WHEREAS, the Town is in need of obtaining certain utility easements from property owner, Sundance At Davie, Inc., in order to accomplish the maintenance; and

WHEREAS, the Town has received from property owner, Sundance At Davie, Inc., the necessary utility easements, copies of which are attached hereto, which will enable the maintenance of the needed utility improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie, Florida does hereby authorize the Town to accept from the property owner the attached utility easements and to record same in the Public Records of Broward County, Florida.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

MA YOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

This document prepared by/to be returned to:

Town of Davie Administrative Services
6591 S.W. 45 Street
Davie, Florida 33314-3399

EASEMENT

THIS EASEMENT is granted this 1 day of October, 2002, between SUNDANCE AT DAVIE, INC., whose mailing address is 3971 SW 8th Street Ste. 205 Miami, FL 33134, hereinafter called "First Party", to the Town of Davie, a Municipal Corporation of the State of Florida, whose mailing address is 6591 S.W. 45 Street, Davie, Florida, 33314-3399, hereinafter called "Town".

WITNESSETH:

That the said First Party, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid by the Town, the receipt whereof is hereby acknowledged, does hereby grant and convey to the Town, its successors and assigns, a perpetual utility easement to install, maintain, repair and operate a sanitary sewer and/or water pipes, mains and laterals, and the necessary appurtenances above and underground for such purposes; also the right to clear and keep clear such obstructions and the surface and subsurface that might endanger the proper construction, operation and maintenance of said system in, under, upon, over and across that certain strip of land of the First Party legally described as follows:

SEE ATTACHED EXHIBIT "A"
CONSISTING OF 5 PAGES

Together with free ingress, egress and regress across said lands for the purposes of cleaning, maintaining and repairing said facilities, and together with the right and privileges to construct, inspect, alter, improve, remove or relocate such facilities. Such easement rights to continue for as long as the Town, its successors and assigns, require the said easements with rights herein granted for the operation and maintenance of such water and/or sewerage lines and systems. The foregoing provisions are hereby declared to be reservations and restrictions running with the land.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year first above written.

Witnessed by:

[Signature]
Isabel A. Quijano
(Print Witness Name)
[Signature]
NITA GONZALEZ
(Print Witness Name)

BY: [Signature]
Manuel A. Larrieu, President
BY: [Signature]
Jorge A. Larrieu, Secretary

State of Florida
County of Dade

The foregoing instrument was acknowledged before me this 8th day of October 2002, by
Manuel A. Larrieu, President and Jorge A. Larrieu, Secretary

[Name of corporate officer(s) and his/her/their corporate title(s)]
of SUNDANCE AT DAVIE, INC., on behalf of the corporation.
(Name of corporation and state or place of incorporation)

[Signature] Lilliand Losa
NOTARY PUBLIC (Signature) LILLIAND LOSA (Name of Notary Public: Print, Stamp, or Type as Commissioned)
My Commission Expires: NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC970946
MY COMMISSION EXP. OCT. 22, 2004

XXX Personally known to me, or _____ Produced identification: _____
_____ DID take an oath, or _____ DID NOT take an oath



C.C.L. CONSULTANTS, INC.

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LANDSCAPE ARCHITECTS • ENVIRONMENTAL CONSULTANTS

2200 PARK CENTRAL BLVD. N.
SUITE 100
POMPAHO BEACH, FLORIDA 33064
(954) 974-2200

2603 MAITLAND CENTER PARKWAY
SUITE C
MAITLAND, FLORIDA 32751
(407) 660-2120

EXHIBIT "A" PG 1 / 5

LEGAL DESCRIPTION: SANITARY SEWER EASEMENT

A strip of land 10.00 feet wide lying in Parcel A, UNIVERSITY PARC, according to the Plat thereof, as recorded in Plat Book 170, at Pages 95 & 96, of the Public Records of Broward County, Florida, the centerline of said strip being more particularly described as follows:

COMMENCE at the Northeast corner of said Parcel A; Thence North 75°15'14" West along the Northerly boundary of said Parcel A, for 215.09 feet; Thence South 14°44'46" West, for 19.10 feet to the POINT OF BEGINNING; Thence South 75°20'19" East, for 140.37 feet; Thence South 54°19'10" East, for 47.09 feet; Thence South 14°39'56" West, for 272.60 feet; Thence South 21°49'03" West, for 51.74 feet; Thence North 70°57'12" West, for 295.07 feet to a point hereinafter known as Point A; Thence South 18°00'41" West, for 48.24 feet to a POINT OF TERMINUS on the Southerly boundary of said Parcel A, said point also lying on a curve concave to the South, having a radius of 1976.86 feet and from said point a radial line bears South 18°00'41" West.

TOGETHER WITH a strip of land 10.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point A; Thence North 74°19'03" West, for 196.09 feet; Thence North 14°42'16" East, for 195.74 feet to a POINT OF TERMINUS.

The sidelines of said strips are lengthened or shortened to intersect with the Southerly boundary of said Parcel A, and to form a continuous 10.00 foot wide easement.

Subject to existing easements, rights-of-way, covenants, reservations and restrictions of record, if any.

Said lands lying and situate the Town of Davie, Broward County, Florida.

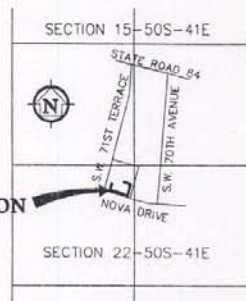
(SKETCH AND LEGAL ONLY - NOT A SURVEY)

NOTES:

- UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- LANDS SHOWN HEREON WERE NOT ABSTRACTED BY CCL CONSULTANTS, INC. FOR EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
- DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
- BEARINGS ARE BASED ON THE PLAT OF UNIVERSITY PARC, P.B. 170, PG. 95 & 96, B.C.R., SOUTH 14°44'46" WEST ALONG THE EASTERLY LINE OF SAID PLAT.
- CCL CONSULTANTS, INC.'S CERTIFICATE OF AUTHORIZATION No. 5610, IS ISSUED BY THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.

REVISIONS	DATE	BY

THIS DESCRIPTION



LOCATION SKETCH
(NOT TO SCALE)

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description is true and correct to the best of my knowledge and belief and that it meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors and Mappers in Chapter 61G17-6, Florida Administrative Code.

For the Firm:
CCL Consultants, Inc.

JAMES A. HAMILTON, III
Professional Surveyor and Mapper No. 3406, State of Florida

DATE:	9/24/02	DRAWN BY:	BF	CHECKED BY:	JAH	FIELD BOOK:	N/A
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SHEET 1 OF 2 K:\4061\SURVEY\LEGALS\4061SAN.DWG

4061

SKETCH NO.



2200 PARK CENTRAL BLVD. N. SUITE 100 POMPAHO BEACH, FLORIDA, 33064 (954) 974-2200	2603 MATLAND CENTER PARKWAY SUITE C MATLAND, FLORIDA, 32751 (407) 660-2120
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LEGEND:

R = RADIUS
O.R.B. = OFFICIAL RECORDS BOOK
P.B. = PLAT BOOK
PG. = PAGE
B.C.R. = BROWARD COUNTY RECORDS
D.C.R. = DADE COUNTY RECORDS
(POB) = POINT OF BEGINNING
(POT) = POINT OF TERMINUS
C = CENTERLINE
--- = NON-VEHICULAR ACCESS LINE
(PER P.B. 170, PG 95 & 96, BCR)

(SKETCH AND LEGAL ONLY - NOT A SURVEY)

REVISIONS	DATE	BY

DATE: 9/24/02	DRAWN BY BF	CHECKED BY JAH	FIELD BOOK N/A
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SHEET 2 OF 2 K:\4061\SURVEY\LEGALS\4061SAN.DWG

4061

SKETCH



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MATLAND, FLORIDA 32751
(407) 660-2120

EXHIBIT "A" PG 3 / 5

LEGAL DESCRIPTION: WATER LINE EASEMENT

A strip of land 10.00 feet wide lying in Parcel A, UNIVERSITY PARC, according to the Plat thereof, as recorded in Plat Book 170, at Pages 95 & 96, of the Public Records of Broward County, Florida, the centerline of said strip being more particularly described as follows:

COMMENCE at the Northeast corner of said Parcel A; Thence North 75°15'14" West along the Northerly boundary of said Parcel A, for 483.95 feet to the POINT OF BEGINNING, said point hereinafter known as Point A; Thence South 14°53'41" West, for 32.00 feet; Thence South 75°15'14" East, for 110.49 feet to a point hereinafter known as Point B; Thence continue South 75°15'14" East, for 302.47 feet; Thence South 27°17'59" East, for 11.36 feet to a point hereinafter known as Point C; Thence continue South 27°17'59" East, for 20.34 feet; Thence South 14°48'42" West, for 257.06 feet; Thence South 56°59'15" West, for 12.99 feet to a point hereinafter known as Point D; Thence continue South 56°59'15" West, for 19.69 feet; Thence North 70°52'59" West, for 162.10 feet to a point hereinafter known as Point E; Thence continue North 70°52'59" West, for 3.75 feet to a point of curvature with a curve concave to the South, said curve having a radius of 3,627.00 feet and a central angle of 03°15'25"; Thence Westerly along said curve for 206.17 feet to a point of tangency; Thence North 75°15'14" West, for 44.78 feet; Thence North 22°16'52" West, for 10.54 feet to a point hereinafter known as Point F; Thence continue North 22°16'52" West, for 20.72 feet; Thence North 14°44'46" East, for 234.83 feet to a point hereinafter known as Point G; Thence continue North 14°44'46" East, for 6.61 feet; Thence North 61°56'04" East, for 23.40 feet; Thence South 75°15'14" East, for 5.80 feet to a POINT OF TERMINUS.

TOGETHER WITH a strip of land 10.00 feet wide lying in Parcel B of said UNIVERSITY PARC, the centerline of said strip being more particularly described as follows:

(CONTINUED ON SHEET 2 OF 3)

(SKETCH AND LEGAL ONLY - NOT A SURVEY)

NOTES:

1. UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
2. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY CCL CONSULTANTS, INC. FOR EASEMENTS AND RIGHTS-OF-WAY OF RECORD.
3. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
4. BEARINGS ARE BASED ON THE PLAT OF UNIVERSITY PARC, P.B. 170, PG. 95 & 96, B.C.R., SOUTH 14°44'46" WEST ALONG THE EASTERLY LINE OF SAID PLAT.
5. CCL CONSULTANTS, INC.'S CERTIFICATE OF AUTHORIZATION No. 5610, IS ISSUED BY THE FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION.

THIS
DESCRIPTION



LOCATION SKETCH
(NOT TO SCALE)

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description is true and correct to the best of my knowledge and belief and that it meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors And Mappers in Chapter 61G17-8, Florida Administrative Code.

For The Firm:
CCL Consultants, Inc.

JAMES A. HAMILTON, III

Professional Surveyor and Mapper No. 3406, State of Florida

DATE: 9/25/02 DRAWN BY: BF CHECKED BY: JAH FIELD BOOK: N/A

SHEET 1 OF 3 K:\4061\SURVEY\LEGALS\4061WATR.DWG

SKETCH NO. 4061



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EXHIBIT "A" PG 4 / 5

(CONTINUED FROM SHEET 1 OF 3)

LEGAL DESCRIPTION: WATER LINE EASEMENT

BEGINNING at said Point A; Thence North 14°53'41" West, for 8.00 feet to a POINT OF TERMINUS.

TOGETHER WITH a strip of land 10.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point B; Thence South 14°44'46" West, for 104.33 feet; Thence South 42°41'38" East, for 49.54 feet to a POINT OF TERMINUS.

TOGETHER WITH a strip of land 15.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point C; Thence South 62°42'01" West, for 42.00 feet to a POINT OF TERMINUS.

TOGETHER WITH a strip of land 10.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point D; Thence North 33°00'45" West, for 12.00 feet to the POINT OF TERMINUS.

TOGETHER WITH a strip of land 10.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point E; Thence South 20°42'33" West, for 69.13 feet to a POINT OF TERMINUS on the Southerly boundary of said Parcel A, said point lying on a curve concave to the South, having a radius of 1976.86 feet and from said point a radial line bears South 20°42'33" West.

TOGETHER WITH a strip of land 15.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point F; Thence North 67°43'08" East, for 20.00 feet to a POINT OF TERMINUS.

TOGETHER WITH a strip of land 15.00 feet wide lying in said Parcel A, the centerline of said strip being more particularly described as follows:

BEGINNING at said Point G; Thence South 75°15'14" East, for 32.60 feet to a POINT OF TERMINUS.

The sidelines of said strips are lengthened or shortened to intersect with the Southerly boundary of said Parcel A, and to form a continuous easement.

Subject to existing easements, rights-of-way, covenants, reservations and restrictions of record, if any.

Said lands lying and situate in the Town of Davie, Broward County, Florida.

(SKETCH AND LEGAL ONLY - NOT A SURVEY)

REVISIONS	DATE	BY	DATE	DRAWN BY	CHECKED BY	FIELD BOOK
			9/25/02	BF	JAH	N/A

SHEET 2 OF 3 K:\4061\SURVEY\LEGALS\4061WATR.DWG

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SKETCH NO.



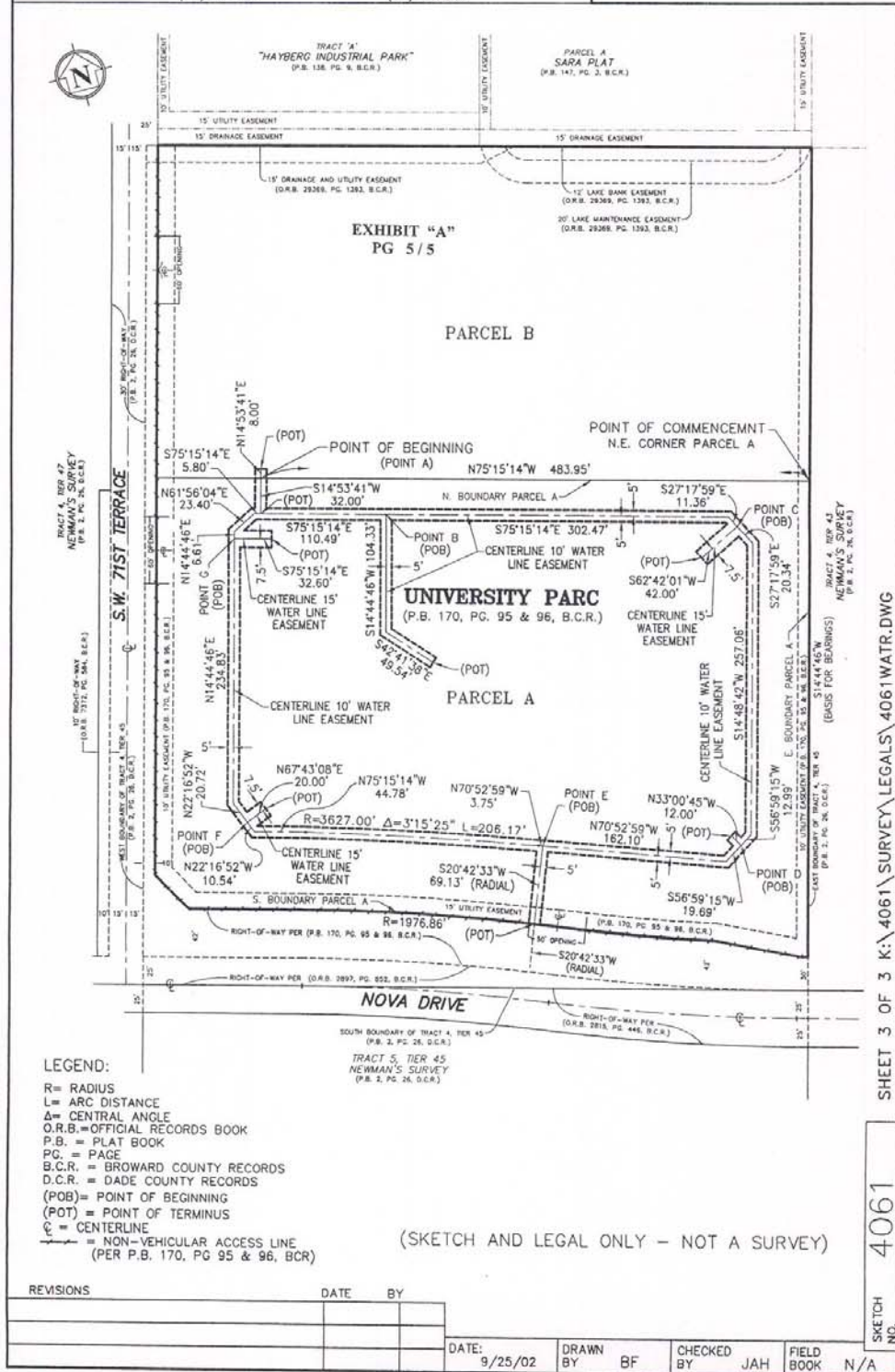
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UNIVERSITY PARC MULTIFAMILY

BID TOTALS

Bid Item	Description	Quantity	Units	Unit Price	Bid Total
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EXHIBIT "A"

WATER SYSTEM

8" PVC C900 WM	1,640.000	LF	12.50	20,500.00
8" DIP CL51 WM	60.000	LF	17.50	1,050.00
6" DIP CL51 WM	40.000	LF	15.00	600.00
2" FIRE LINE STUB	20.000	LF	13.00	260.00
12" X 8" TAP/SLV/VLV	1.000	EA	3,700.00	3,700.00
SAMPLE POINT	3.000	EA	145.00	435.00
FILL & FLUSH CONNECTION	1.000	EA	710.00	710.00
8" GATE VALVE/BOX	6.000	EA	695.00	4,170.00
FIRE HYDRANT/GV ASSY	4.000	EA	1,615.00	6,460.00
NOVA DRIVE CROSSING	1.000	LS	4,675.00	4,675.00
WM FITTINGS	1.000	LS	4,535.00	4,535.00
BLOWOFF ASSEMBLY	1.000	EA	475.00	475.00
2" SERVICE ASSY	3.000	EA	755.00	2,265.00
2" DDCV ASSEMBLY	2.000	EA	3,000.00	6,000.00

WATER SUBTOTAL

\$55,835.00

SANITARY SEWER

8" PVC 0-6 CUT	662.000	LF	13.00	8,606.00
8" PVC 6-8 CUT	491.000	LF	15.00	7,365.00
8" PVC 8-10 CUT	130.000	LF	17.00	2,210.00
MANHOLES 0-6 CUT	5.000	EA	2,070.00	10,350.00
MANHOLES 6-8 CUT	2.000	EA	2,315.00	4,630.00
MANHOLES 8-10 CUT	1.000	EA	2,650.00	2,650.00
OUTSIDE DROP CONN	1.000	EA	1,230.00	1,230.00
CORE/CONN TO EX MANHOLE	1.000	EA	3,625.00	3,625.00
BUILDING SERVICE	8.000	EA	390.00	3,120.00
IN-LINE CLEANOUT	4.000	EA	165.00	660.00
SWR LAT/WM CONFLICT	3.000	EA	240.00	720.00

SANITARY SUBTOTAL \$44,916.00

421

EXHIBIT "B"

LEGAL DESCRIPTION: Parcel A, UNIVERSITY PARC, according to the Plat thereof, as recorded in Plat Book 170, at Pages 95 96, of the Public records of Broward County, Florida.

Opinion of Title

To: **Town of Davie**

With the understanding that this opinion of title is furnished as requested by the Town of Davie, Florida, in compliance with its engineering requirements, and as inducement to accept easements, and water and sewer lines of the subject property. It is hereby certified that I have examined the complete title covering the period from the beginning through September 20, 2002 at 6am, inclusive of the following described real property:

Legal description:

Parcel A, University Parc, according to the Plat thereof, as recorded in Plat Book 170, at Pages 95 and 96 of the Public Records of Broward County, Florida.

Basing my opinion on said complete title search covering said period I am of the opinion that on the last mentioned date, the fee simple title to the above described real property is vested in:

Sundance at Davie, Inc., a Florida corporation

Subject to the following encumbrances, liens and other exceptions:

General Exceptions

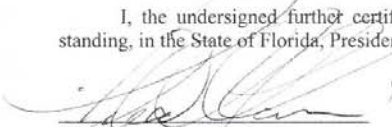
1. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid. Subject to taxes for the year 2002 (which are not yet due and payable) and subsequent years.
2. Rights of persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any recorded labor, mechanics or material men liens.
5. Zoning and other restrictions imposed by governmental authority.

Special Exceptions

6. Easements and restrictions contained in the Plat of Newman's Survey, recorded in Plat Book 2, at Page 26, of the Public Records of Miami-Dade County, Florida.
7. Ordinance Number 1998-16 re: the Broward County Comprehensive Plan, amending the 1989 Broward County Land Use Plan Map in the Town of Davie, recorded June 29, 1998 in Official Records Book 18465, Page 213 of the Public Records of Broward County, Florida.
8. Easement Agreement recorded April 8, 1999 in Official Records Book 29369, Page 1393 as amended by Agreement filed December 3, 2001 in Official Records Book 32431, Page 1451, both of the Public Records of BROWARD County, Florida. Fifteen (15) foot drainage and utility easement, Twelve (12) foot lake bank easement and Twenty (20) foot lake maintenance easement located on the north property line as identified on survey prepared by CCL Consultants, Inc., number 4061 dated December 29, 1999.
9. Development Rights Agreement recorded April 8, 1999 in Official Records Book 29369, page 1407 of the Public Records of BROWARD County, Florida.
10. Assignment and Assumption of Development Rights recorded August 2, 1999 in Official Records Book 29713, Page 872 of the Public Records of BROWARD County, Florida.
11. Water and Sewer Service Agreement with Town of Davie Utilities Department recorded November 20, 2000 in Official Records Book 31031, page 510 of the Public Records of BROWARD County, Florida.
12. Water and Sewer Service Agreement recorded November 20, 2000 in Official Records Book 31031, Page 516 of the Public Records of BROWARD County, Florida.
13. Central Broward Water Control District Subdivider's (Completion Bond) (Letter of Credit) recorded July 11, 2001 in Official Records Book 31829, page 394 of the Public Records of BROWARD County, Florida.

14. Maintenance Agreement entered into between Central Broward Water Control District and Sundance at Davie Inc. recorded July 11, 2001 in official Records Book 31829, page 402 of the Public Records of BROWARD County, Florida.
15. Agreement among Broward County and Town of Davie and 1-595 Business Plaza, Limited Partnership and Sundance at Davie, Inc., for transfer of committed trips recorded July 20, 2001 in Official Records Book 31877, page 339 of the Public Records of BROWARD County, Florida.
16. Encroachment of Chain link fence unto the 12 foot lake bank easement, the 20 foot lake maintenance easement and the 15 foot drainage and utility easement located on the north; encroachment of overhead wires, anchors and wood poles on the west and Canal running east to west between the proposed parcel A and parcel B all as shown on survey prepared by Manuel G. Vera and Associates, Inc., number 01-05-76 dated September 20, 2001.
17. Notice recorded October 2, 2001 in Official Records Book 32186, Page 767 of the Public Records of BROWARD County, Florida.
18. Agreement between Broward County and Sundance at Davie, Inc., for Traffic Signalization recorded October 2, 2001 in Official Records Book 32186, Page 758 of the Public Records of BROWARD County, Florida.
19. Agreement between Broward County and Sundance at Davie, Inc., Phasing the installation of required road improvements relating to University Parc recorded October 2, 2001 in Official Records Book 32186, Page 744 of the Public Records of BROWARD County, Florida.
20. Easements and restrictions contained in the Plat of University Parc, recorded in Plat Book 170, at Page 96, of the Public Records of BROWARD County, Florida.
21. Declaration of Easement recorded November 29, 2001 in Official Records Book 32418, Page 796, of the Public Records of BROWARD County, Florida.
22. Easement in favor of District Cablevision Limited Partnership, recorded March 1, 2002 in Official Records Book 32828, Page 827 of the Public Records of BROWARD County, Florida.
23. Easement in favor of Bell South Telecommunications, Inc., recorded March 1, 2002 in Official Records Book 32828, Page 832 of the Public Records of BROWARD County, Florida.
24. Easement in favor of Florida Power and Light Company recorded March 1, 2002 in Official Records Book 32828, Page 838, of the Public Records of BROWARD County, Florida.
25. Terms, covenants, conditions, easements, restrictions and other provisions, including provisions which provide for a private charge or assessments contained in the Declaration of Condominium recorded in Official Records Book 32733, at Page 567, as Amended, all of the Public Records of BROWARD County, Florida, together with all exhibits attached thereto.
26. Mortgage held by Ocean Bank, filed February 17, 2000, in Official Records Book 30267, at Page 888. Assignment of Leases, Rents and Profits recorded February 17, 2000 in Official Records Book 30267, Page 900. UCC-1 Financing Statement recorded February 17, 2000 in Official Records Book 30267, page 906. Future Advance, Consolidation, Modification and Ratification of Mortgage and Note Agreement recorded September 25, 2001 in Official Records Book 32152, Page 1885. Collateral Assignment of Development Documents and Covenants recorded September 25, 2001 in Official Records Book 32152, Page 1891, all of the Public Records of Broward County, Florida.

I, the undersigned further certify that I am a licensed Title Insurance Agent in good standing, in the State of Florida, President of U.S. Title Services, Inc.


Silvia L. Larrieu, President
U.S. Title Services, Inc.
306 Alcazar Avenue, Suite 203
Coral Gables, Florida 33134
(305) 442-9715/ (305) 441-7992 fax

AFFIDAVIT

STATE OF FLORIDA)
) SS
COUNTY OF DADE)

BEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared Manuel A. Larrieu, President and Jorge A. Larrieu, Secretary

after being first duly sworn upon oath, depose(s) and say(s) that all persons, firms, or corporations who furnished labor or material used directly or indirectly in the prosecution of the work required to be performed by that certain agreement between the Town of Davie and SUNDANCE AT DAVIE, INC.

in connection with the construction of water and/or sewer lines consisting of:

EXHIBIT "A"

Consisting of One (1) Page

to the property legally described as:

EXHIBIT "B" - Consisting of One (1) Page

Said lands located within the Town of Davie, Broward County, Florida, have been fully paid.

WITNESSES:

Isabel A. Quijano
Print Name: Isabel A. Quijano
Maria Gonzalez
Print Name: Maria Gonzalez

Signed: Manuel A. Larrieu
Manuel A. Larrieu, President
Signed: Jorge A. Larrieu
Jorge A. Larrieu, Secretary

State of Florida
County of Dade

On the 8th day of October, 2002, before me, the undersigned Notary Public of the State of Florida, the foregoing instrument was acknowledged by Manuel A. Larrieu, President and Jorge A. Larrieu, Secretary

[Name of corporate officer(s) and his/her/their corporate title(s)]
of SUNDANCE AT DAVIE, INC.
(Name of corporation and state or place of incorporation) on behalf of the corporation.

Lilliand Losa
Lilliand Losa
NOTARY PUBLIC (Signature) OFFICIAL NOTARY PUBLIC
LILLIAND LOSA
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC970946
MY COMMISSION EXPIRES OCT. 22, 2004

My Commission Expires: XXX Personally known to me, or Produced Identification:

 DID take an oath, or DID NOT take an oath (Corporation)